

BAKER BOTTS L.L.P.

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Counsel for Defendants
Chicago Bridge & Iron Company N.V.,
Philip Asherman, Ron Ballschmiede and
Westley Stockton

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE CHICAGO BRIDGE & IRON)	CASE NO. 1:17-CV-1580 Hon. Lorna Schofield
COMPANY N.V. SECURITIES)	
LITIGATION)	
)	

**MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS'
MOTION IN LIMINE NO. 12**

Defendants Chicago Bridge & Iron Co. N.V. (“CB&I”), Philip K. Asherman, Ronald A. Ballschmiede, and Westley S. Stockton submit this Memorandum of Law in support of their Motion *in Limine* No. 12 to preclude any mention of or reference to the criminal guilty pleas of Kevin Marsh (former SCANA Corporation CEO and Chairman of its Board of Directors) and Stephen Byrne (former SCANA EVP and former COO of South Carolina Electric & Gas Company).

The allegations giving rise to those guilty pleas concerned non-CB&I statements and events that occurred in 2016, well after CB&I sold the Shaw nuclear business to Westinghouse Electric Co. LLC. Thus, the guilty pleas and events giving rise to them are not relevant to the allegations or challenged statements at issue in this lawsuit, and any such reference or mention could only serve to unfairly prejudice, confuse, and mislead the members of the jury. FED. R. EVID. 402, 403.

Dated: December 13, 2021

Respectfully submitted,

BAKER BOTTS L.L.P.

By: /s/ David D. Sterling

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